

RECEIVED

MAY 8 - 2001

PATENT

Technology Center 2100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#11



In re application of:

APPLICANTS: Mousseau et al.

TITLE: System and Method for Pushing Information from a Host System to a Mobile Data Communication Device

SERIAL NO.: 09/782,107

FILING DATE: February 13, 2001

EXAMINER: not yet assigned

GROUP ART UNIT: not yet assigned

ATTORNEY DOCKET NO.: 555255012189

HON. ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

**DECLARATION OF DAVID B. COCHRAN IN SUPPORT OF PETITION  
TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT**

I, David B. Cochran, am the Attorney of Record in this case and make the following declarations:

1. There is an infringing device actually on the market and an infringing method in use.
2. I have made a rigid comparison of the alleged infringing device and method with the claims of the above referenced application. In my opinion, some of the claims are unquestionably infringed.
3. I have a good knowledge of the pertinent prior art. All such material art is already of record, having been filed in an Information Disclosure Statement.

RECEIVED

JUN 06 2002

DIRECTOR OFFICE  
TECHNOLOGY CENTER 2100

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on 5-1-2001

By: Deborah A. Satozawa

Respectfully submitted,

David B. Cochran

David B. Cochran  
Reg. No. 39,142  
JONES, DAY, REAVIS & POGUE  
901 Lakeside Ave.  
Cleveland, Ohio, 44114

Date: 4/30/01